

address the timing for the use of funds with respect to grants made to shuttered venue operators.

S. 2925

At the request of Ms. ROSEN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 2925, a bill to provide for a strategic plan for the domestic manufacture of necessary medical supplies or supplies needed to facilitate emergency or medical response, and for other purposes.

S. 2984

At the request of Ms. MURKOWSKI, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2984, a bill to establish that a State-based education loan program is excluded from certain requirements relating to a preferred lender arrangement.

S. RES. 380

At the request of Mr. RISCH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 380, a resolution reiterating United States support for the people of the Republic of South Sudan in their quest for lasting peace, stability, and democracy after 10 years of independence and calling for a review of United States policy toward South Sudan.

S. RES. 411

At the request of Mrs. SHAHEEN, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 411, a resolution designating October 6, 2021, as "Energy Efficiency Day" in celebration of the economic and environmental benefits that have been driven by private sector innovation and Federal energy efficiency policies.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PADILLA (for himself, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Ms. HASSAN, and Mr. BLUMENTHAL):

S. 2994. A bill to list certain perfluoroalkyl and polyfluoroalkyl substances as hazardous air pollutants, and for other purposes; to the Committee on Environment and Public Works.

Mr. PADILLA. Mr. President, I rise to introduce the Prevent Release of Toxics Emissions, Contamination, and Transfer Act. The PROTECT Act would add certain PFAS chemicals to the list of hazardous air pollutants under the Clean Air Act.

The Environmental Working Group recently identified nearly 30,000 potential industrial dischargers of PFAS into the air and water. Yet there are currently no restrictions on industrial PFAS discharges under the Clean Water Act or the Clean Air Act, leaving communities vulnerable to the devastating impacts of PFAS pollution.

While it is well documented how toxic PFAS chemicals are prevalent in

the water supply, it is less well known that PFAS chemicals are also emitted into the air.

This legislation would add PFOA, PFOS, PFBS, and GenX to the list of hazardous air pollutants regulated under section 112(b) of the Clean Air Act. It would also direct the EPA to create a list of categories of major sources and area sources that emit PFAS within 2 years and give the EPA a 5-year deadline to finalize the subsequent regulations.

The EPA has acknowledged that "air emissions of PFAS from industrial sources is now recognized as a significant route for PFAS releases to the environment and is evidenced by deposition as well as their presence in rainwater." Yet PFAS air emissions aren't currently regulated under the Clean Air Act or any other anti-pollution law.

Adding PFAS to the EPA's hazardous air pollutants list would build upon work done by States to limit air emissions from industrial facilities and greatly expand the number of facilities that would have to adopt technology to reduce PFAS emissions.

I thank my colleague Senator SHAHEEN for her tireless leadership fighting PFAS contamination and protecting vulnerable communities and Congresswoman STEVENS for successfully shepherding this legislation through the House.

I look forward to working with my colleagues to enact the PROTECT Act as quickly as possible.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 422—AUTHORIZING THE USE OF THE ATRIUM IN THE PHILIP A. HART SENATE OFFICE BUILDING FOR A BIPARTISAN HALLOWEEN DOG PARADE ON OCTOBER 27, 2021

Mr. TILLIS submitted the following resolution; which was considered and agreed to:—

S. RES. 422

*Resolved,*

SECTION 1. USE OF THE ATRIUM IN THE HART SENATE OFFICE BUILDING FOR A BIPARTISAN HALLOWEEN DOG PARADE.

The atrium in the Philip A. Hart Senate Office Building is authorized to be used on October 27, 2021, for a bipartisan Halloween dog parade.

SENATE RESOLUTION 423—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 2021 AS "NATIONAL YOUTH JUSTICE ACTION MONTH"

Mr. WHITEHOUSE submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 423

Whereas the historical role of the juvenile court system is to rehabilitate and treat young people while holding them account-

able and maintaining public safety, and the juvenile court system is therefore better equipped to work with youth than the adult criminal justice system, which is punitive in nature;

Whereas youth are developmentally different from adults, and those differences have been—

(1) documented by research on the adolescent brain; and

(2) acknowledged by the Supreme Court of the United States, State supreme courts, and many State and Federal laws that prohibit youth under the age of 18 from taking on major adult responsibilities such as voting, jury duty, and military service;

Whereas youth who are placed under the commitment of the juvenile court system are able to access age-appropriate services and education and remain closer to their families, which reduces the likelihood that those youth will commit offenses in the future;

Whereas every year in the United States an estimated 76,000 youths are tried, sentenced, or incarcerated as adults, and most of those youth are prosecuted for nonviolent offenses;

Whereas most laws allowing the prosecution of youth as adults were enacted before the publication of research-based evidence by the Centers for Disease Control and Prevention and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice demonstrating that prosecuting youth in adult court actually decreases public safety as, on average, youth prosecuted in adult court are 34 percent more likely to commit future crimes than youth retained in the juvenile court system;

Whereas youth of color, youth with disabilities, and youth with mental health issues are disproportionately represented at all stages of the criminal justice system;

Whereas it is harmful to public safety and to young people in the legal system to confine youth in adult jails or prisons where they are significantly more likely to be physically and sexually assaulted and often placed in solitary confinement;

Whereas youth sentenced as adults receive an adult criminal record that hinders future education and employment opportunities;

Whereas youth who receive extremely long sentences deserve an opportunity to demonstrate their potential to grow and change; and

Whereas, in October, people around the United States participate in Youth Justice Action Month to increase public awareness of the need to protect the constitutional rights of youth, establish a minimum age for arresting children, remove youth from adult courts and prisons, and end the practice of sentencing children to life, and de facto life, without parole and to provide people across the United States with an opportunity to develop action-oriented events in their communities: Now, therefore, be it

*Resolved,* That the Senate—

(1) acknowledges that the collateral consequences normally applied in the adult criminal justice system should not automatically apply to youth arrested for crimes before the age of 18;

(2) expresses support for the designation of October 2021 as "National Youth Justice Action Month";

(3) recognizes and supports the goals and ideals of National Youth Justice Action Month; and

(4) recognizes the importance of and encourages the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice to fully implement the Juvenile Justice Reform Act of 2018 (Public Law 115-385; 132 Stat. 5123) in a manner in keeping with the spirit and intent of the law.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3861. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2792, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.; which was ordered to lie on the table.

SA 3862. Mr. SCHUMER (for Mr. BOOKER) proposed an amendment to the resolution S. Res. 267, designating June 12, 2021, as "Women Veterans Appreciation Day".

## TEXT OF AMENDMENTS

**SA 3861.** Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2792, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

### SEC. 1064. NATIONAL CRITICAL CAPABILITIES REVIEWS.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by adding at the end the following:

#### "TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

##### "SEC. 1001. DEFINITIONS.

"In this title:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

"(A) the Committee on Finance, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(B) the Committee on Ways and Means, the Committee on Armed Services, the Committee on Education and Labor, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

"(2) COMMITTEE.—The term 'Committee' means the Committee on National Critical Capabilities established under section 1002.

"(3) CONTROL.—The term 'control' means the power, direct or indirect, whether exercised or not exercised, to determine, direct, or decide important matters affecting an entity, subject to regulations prescribed by the Committee.

"(4) COUNTRY OF CONCERN.—The term 'country of concern'—

"(A) has the meaning given the term 'foreign adversary' in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)); and

"(B) may include a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) identified by the Committee for purposes of this paragraph by regulation.

"(5) COVERED TRANSACTION.—

"(A) IN GENERAL.—Except as otherwise provided, the term 'covered transaction' means any of the following transactions, proposed

or pending on or after the date of the enactment of this title:

"(i) Any transaction by a United States business that—

"(I) shifts or relocates to a country of concern, or transfers to an entity of concern, the design, development, production, manufacture, fabrication, supply, servicing, testing, management, operation, investment, ownership, or any other essential elements involving one or more national critical capabilities identified under subparagraph (B)(ii); or

"(II) could result in an unacceptable risk to a national critical capability.

"(ii) Any other transaction, transfer, agreement, or arrangement, the structure of which is designed or intended to evade or circumvent the application of this title, subject to regulations prescribed by the Committee.

"(B) REGULATIONS.—

"(i) IN GENERAL.—The Committee shall prescribe regulations further defining the term 'covered transaction' in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

"(ii) IDENTIFICATION OF NATIONAL CRITICAL CAPABILITIES.—For purposes of subparagraph (A)(I), the regulations prescribed by the Committee under clause (i) shall—

"(I) identify the national critical capabilities subject to that subparagraph based on criteria intended to limit application of that subparagraph to the subset of national critical capabilities that is likely to pose an unacceptable risk to the national security and crisis preparedness of the United States; and

"(II) enumerate, quantify, prioritize, and set forth sufficient allowances of, specific types and examples of such capabilities.

"(6) CRISIS PREPAREDNESS.—The term 'crisis preparedness' means preparedness for—

"(A) a public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

"(B) a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

"(7) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters.

"(8) ENTITY OF CONCERN.—The term 'entity of concern' means an entity—

"(A) the ultimate parent entity of which is domiciled in a country of concern; or

"(B) that is directly or indirectly controlled by, owned by, or subject to the influence of a foreign person that has a substantial nexus with a country of concern.

"(9) FOREIGN ENTITY.—

"(A) IN GENERAL.—Except as provided by subparagraph (B), the term 'foreign entity' means any branch, partnership, group or sub-group, association, estate, trust, corporation or division of a corporation, or organization organized under the laws of a foreign country if—

"(i) its principal place of business is outside the United States; or

"(ii) its equity securities are primarily traded on one or more foreign exchanges.

"(B) EXCEPTION.—The term 'foreign entity' does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in such entity is ultimately owned by nationals of the United States.

"(10) FOREIGN PERSON.—The term 'foreign person' means—

"(A) any foreign national, foreign government, or foreign entity;

"(B) any entity over which control is exercised or exercisable by a foreign national, foreign government, or foreign entity; or

"(C) any entity over which control is exercised or exercisable by a person described in subparagraph (A) or (B).

"(11) NATIONAL CRITICAL CAPABILITIES.—The term 'national critical capabilities', subject to regulations prescribed by the Committee—

"(A) means systems and assets, whether physical or virtual, so vital to the United States that the inability to develop such systems and assets or the incapacity or destruction of such systems or assets would have a debilitating impact on national security or crisis preparedness; and

"(B) includes the following:

"(i) The production, in sufficient quantities, of any of the following articles:

"(I) Medical supplies, medicines, and personal protective equipment.

"(II) Articles essential to the operation, manufacture, supply, service, or maintenance of critical infrastructure.

"(III) Articles critical to infrastructure construction after a natural or manmade disaster.

"(IV) Articles that are components of systems critical to the operation of weapons systems, intelligence collection systems, or items critical to the conduct of military or intelligence operations.

"(V) Any other articles identified in regulations prescribed under section 1007.

"(ii) Supply chains for the production of articles described in clause (i).

"(iii) Essential supply chains for the Department of Defense.

"(iv) Any other supply chains identified in regulations prescribed under section 1007.

"(v) Services critical to the production of articles described in clause (i) or a supply chain described in clause (ii), (iii), or (iv).

"(vi) Medical services.

"(vii) Services critical to the maintenance of critical infrastructure.

"(viii) Services critical to infrastructure construction after a natural or manmade disaster.

"(ix) Any other services identified in regulations prescribed under section 1007.

"(12) NATIONAL SECURITY.—The term 'national security' includes—

"(A) national security, as defined in section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a));

"(B) national defense, as defined in section 702 of that Act (50 U.S.C. 4552); and

"(C) agricultural security and natural resources security.

"(13) PARTY.—The term 'party', with respect to a transaction, has the meaning given that term in regulations prescribed by the Committee.

"(14) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, and any territory or possession of the United States.

"(15) UNITED STATES BUSINESS.—The term 'United States business' means a person engaged in interstate commerce in the United States.

### "SEC. 1002. COMMITTEE ON NATIONAL CRITICAL CAPABILITIES.

"(a) IN GENERAL.—There is established a committee, to be known as the 'Committee on National Critical Capabilities', which shall carry out this title and such other assignments as the President may designate.

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The Committee shall be comprised of the head, or a designee of the head, of each of the following:

"(A) The Office of the United States Trade Representative.